



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,097	01/10/2006	Carl R. VanderSchuit	9053V-000004/US/NPB	4259
28997 7590 09/20/2007. HARNESSE, DICKEY, & PIERCE, P.L.C 7700 BONHOMME, STE 400 ST. LOUIS, MO 63105			EXAMINER SAWHNEY, HARGOBIND S	
			ART UNIT 2885	PAPER NUMBER
			MAIL DATE 09/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/541,097

Applicant(s)

VANDERSCHUIT, CARL R.

Examiner

Hargobind S. Sawhney

Art Unit

2885

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 33-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 33-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/30/06, 7/23/07</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-14 are objected to because of the following informalities:

Claim 1, line 5, "device's socket" does not positively identify the aforementioned sockets recited in the claim. It appears that "the socket receiving a light bulb" is referred as the device's socket. As it is, the limitation "device's socket" further lacks antecedent basis. Because of existence of similar deficiency as that in Claim 1, Claim 44 is also objected.

Claims 2-14 are necessarily objected because of their dependency on the objected base Claim 1.

Claims 45 and 46 are necessarily objected because of their dependency on the objected base Claim 44.

Each of claims 1 and 44 of the instant application has been examined considering the above-indicated limitation "the device's socket" has been considered as -- a socket".

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2885

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1,3,4,9-12, 33, 34 and 39-41 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No.: 6,756,893 B1 (Fernandez).

Regarding claims 1,3,4,9-12, 15, 20-23, 33-35 and 39-41, Fernandez discloses a lighting device (Figure 2) comprising:

- a base portion 12 engageable to a light socket 4 (Figure 2, column 2, lines 3 and 9);
- a socket – central aperture in the base portion 12 – adapted to receive a light bulb 5 (Figure 2, column 1, line 66);
- at least one light source 8 – a plurality of LEDs 8 – coupled to the base portion 12 (Figures 2 and 4, column 2, lines 5 and 6);
- the base portion 12 electrically connected to the socket and the at least one light source – a plurality of LEDs 8 – providing power from the light socket 4 to the at least one light source 8, and to the light bulb 5 (Figures 2-4, column 2, lines 12-17);
- the light bulb 5 being an incandescent bulb (Figure 2, column 1, line 66, and column 2, line 1);
- a control circuit integrated in the base portion 12 (Figures 1 and 2, column 2, lines 8-10);
- a light-transmitting cover 3 enveloping the light bulb 5 (Figure 2, column 1, lines 65 and 66);

Art Unit: 2885

- the electrical terminals electrically connected to the light socket 4 and the LEDs 8 (Figures 2,6 and 10, column 2, lines 2-12); and
- the base portion 12 allowing the lighting device to be supported on a horizontal support (Figure 2); and an electrical cord 2 operationally required to be electrically connected to the power outlet (Figure 2, column 2, lines 2-4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 7, 8, 36 and 50-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No.: 6,756,893 B1 Fernandez in view of US Patent No.: 5,121,287 (Lee).

Regarding each of claims 2, 16 and 36, dependent on claims 1, 15 and 33 respectively, Fernandez discloses a lighting device (Figure 2) comprising:

- a base portion 12 engageable to a light socket 4 (Figure 2, column 2, lines 3 and 9); and
- a socket – central aperture in the base portion 12 – adapted to receive a light bulb 5 (Figure 2, column 1, line 66).

Art Unit: 2885

However, Fernandez does not specifically teach the socket – central aperture – adapted to receive a light bulb being a medium base socket.

On the other hand, Lee discloses an adapter for lamp control including a medium base socket 30 (Figures 1 and 2, column 1, lines 59-62, column 2, lines 6-9, and column 3, lines 11-19).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the lighting device of Fernandez by providing a medium base socket as taught by Lee for benefit and advantage of providing a lamp with low vertical profile desired for compactness.

Regarding claim 7, Fernandez discloses a lighting device (Figure 2) comprising a socket – central aperture – adapted to receive a light bulb 5 (Figure 2, column 1, line 66). However, Fernandez does not specifically teach the socket including a threaded portion receiving the threaded portion of the light bulb.

On the other hand, On the other hand, Lee discloses an adapter 30 for lamp control (Figures 1 and 2, column 1, lines 59-62 and column 2, lines 6-9) including a threaded socket 34 receiving the threaded portion 14 of the light bulb 16 (Figures 1 and 3, column 3, lines 11-19).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the lighting device of Fernandez by providing a medium base threaded socket including as taught by Lee for benefit and advantage of providing secured connection and quick and easy disconnection of a light bulb.

Regarding Claim 8, Fernandez in view of Lee discloses the lighting device further including the base portion 30 being removably engaged – threaded engagement- with the threaded portion (Lee, Figures 1-3, column 3, lines 11-19).

Regarding claim 50, Fernandez in view of Lee discloses the lighting device comprising:

- a socket 4'- the upper portion - receiving the light bulb 5 (Figure 2, column 2, lines 2-5); a base portion 4'' – the middle portion carrying element 12 (Figure 2) - of element 4 – engaging an existing light socket 4'''- the lower portion of the element 4 (Figure 2, column 2, lines 6-12); the base portion 4'' electrically connected to the socket 4'' (Figure 2, column 2, lines 6-12); an annular member 12 including LEDs and a central opening (Figure 2, column 12, lines 6-12); the annular member 12 positioned around the light bulb 5 received in the central opening (Figure 2).

However, Fernandez does not specifically teach the socket including a threaded portion receiving the threaded portion of the light bulb.

On the other hand, On the other hand, Lee discloses an adapter 30 for lamp control (Figures 1 and 2, column 1, lines 59-62 and column 2, lines 6-9) including a threaded socket 34 receiving the threaded portion 14 of the light bulb 16 (Figures 1 and 3, column 3, lines 11-19).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the lighting device of Fernandez by providing a medium base

threaded socket including as taught by Lee for benefit and advantage of providing secured connection and quick and easy disconnection of a light bulb.

Regarding claims 51-57, Fernandez in view of Lee discloses the lighting device further including:

- the member 12 including a power source compartment – a special circuit – receiving power a power source through the power terminals 2 (Fernandez, Figure 2, column 2, lines 3 and 6-12); the base portion 4 connectable to the LEDs 8 (Fernandez, Figure 2, column 2, lines 6-12); the member 12 having a circular outer parameter and circular opening (Figure 2); the base portion 4” engagable with the medium base portion (Fernandez, Figure 2); a removable cover 3 receiving the light bulb 5 and the LEDs 8 (Fernandez, Figure 2, column 1, line 66); the external features of the lighting device similar to that of an incandescent lamp (Fernandez, Figure 2).

6. Claims 5, 6, 37, 38 and 44-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez (US Patent No.: 6,756,893 B1) in view of Diong et al. (US Patent No.: 5,349,330).

Regarding Claim 5, Fernandez discloses a lighting device comprising a base portion engageable to a light socket. However, Fernandez does not specifically teach the base portion adapted to receive a power source for supplying back-up power to the light source.

On the other hand, Diong et al. ('330) discloses an illumination means (Figure 1) including an adaptor 11- base 11 including a power source 24 -, and batteries 24 supplying back-up power to the light source 15.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the lighting device of Fernandez by providing an additional back-up power source – batteries - as taught by Diong et al. ('330) for benefit and advantage a redundant power source promoting high operational reliability.

Regarding Claim 6, Fernandez in view of Diong et al. ('330) discloses the lighting device further including:

- the base 11 electrically connected to the power source 24 (Diong, Figure 1, column 2, lines 49-53) for recharging the backup power source .

Regarding claims 37 and 38, Fernandez in view of Diong et al. ('330) meets the limitations of the claims in the similar manner as detailed above for claims 5 and 6.

Regarding claims 44 and 47, Fernandez discloses a lighting device (Figure 2) comprising:

- a base portion 12 engageable to a light socket 4 (Figure 2, column 2, lines 3 and 9);
- a socket – central aperture in the base portion 12 – adapted to receive a light bulb 5 (Figure 2, column 1, line 66);
- at least one light source 8 – a plurality of LEDs 8 – coupled to the base portion 12 (Figures 2 and 4, column 2, lines 5 and 6);

Art Unit: 2885

- the base portion 12 electrically connected to the socket and the at least one light source 8 – a plurality of LEDs 8 – providing power from the light socket 4 to the at least one light source, and to the light bulb (Figures 2-4, column 2, lines 12-17); and
- electrical terminals 2 connectable to an external power source, the socket 4 and the LEDs 8 (Figure 2, column 2, lines 2-12).

However, Fernandez does not specifically teach the base portion adapted to receive a power source for supplying back-up power to the light source.

On the other hand, Diong et al. ('330) discloses an illumination means (Figure 1) including an adaptor 11- base 11 including a power source 24 – batteries 24 –supplying back-up power to the light source 15.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the lighting device of (Fernandez)by providing an additional back-up power source – batteries - as taught by Diong et al. ('330) for benefit and advantage a redundant power source promoting high operational reliability.

Regarding claims 45 and 46, Fernandez in view of Diong et al. ('330) discloses the lighting device further including the base 11 electrically connected to the power source 24 for recharging the backup power source 24 (Diong, Figure 1, column 2, lines 49-53).

Regarding claims 48 and 49, Fernandez in view of Diong et al. ('330) discloses the lighting device further including the base 12, bearing LEDs 8, electrically connected

to the external power source (not shown) for recharging the backup power source 24 (Diong, Figure 1, column 2, lines 49-53).

7. Claims 13, 35 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez (US Patent No.: 6,756,893 B1).

Regarding claim 13, Fernandez discloses a lighting device (Figure 2) comprising a light transmitting cover receiving a light bulb, and the cover.

However, Fernandez does not specifically teach the light transmitting cover being removably engaged with the base portion.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to realize the need of making the cover removably engaged for the benefits of replacement of lighting bulb needed for maintenance and operation of the device.

8. Claims 14 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No.: 6,756,893 B1 (Fernandez) in view of Tokawa et al. (Japanese Patent No.: JP 11283415), hereinafter referred as Tokawa.

Regarding claims 14 and 43, Fernandez discloses a lighting device comprising a light source with a cover. However, Fernandez does not specifically teach the light source being a black light source, and the cover including a portion responsive to the backlight.

On the other hand, Tokawa discloses a luminaire A including a black light source 2 with a cover responsive the black light emitted by the black light source 2 (Figure 1, English translated abstract) .

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the lighting device of (Fernandez)by providing a black light source with a cover having a portion responsive to black light as taught by Tokawa for the benefits of using the device for various applications.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ortega, Jr. (U.S. Patent No. 5,380,214) and McDermott (U.S. Patent No. 4,947,291

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 8:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jong-Suk (James) Lee can be reached on 571 272 7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2885

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/14/2007

/Hargobind S. Sawhney/

Examiner, Art Unit 2885